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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

HERNI THOMPSON, individually; JAMES MILLER, individually;

Case No.: 2:09-cv-00905-JCM-RJJ

Plaintiffs,

vs.

AMERICAN FAMILY MUTUAL INSURANCE COMPANY, a foreign corporation; Doe Individuals 1 to 10 and Roe Entities 1 to 10;

Defendants.

JUDGMENT AGAINST JAMES MILLER

AMERICAN FAMILY MUTUAL INSURANCE COMPANY, AMERICAN FAMILY LIFE INSURANCE COMPANY, and AMERICAN STANDARD INSURANCE COMPANY OF WISCONSIN, Wisconsin mutual insurance companies,

Counterclaimants,

vs.

HERNI THOMPSON and SHAUN WHITE, a married couple, JAMES MILLER and NOEMI MILLER, a married couple, and HERNI S. THOMPSON AGENCY, INC., a Nevada corporation,

Counterdefendants.

Pursuant to the court's August 15, 2011 order, and having considered American Family's application for fees and non-taxable costs against Miller for litigation misconduct, and for good cause appearing,

1 IT IS ORDERED:

2 1. Judgment is entered in favor of defendant and counterclaimants American Family
3 Mutual Insurance Company, American Family Life Insurance Company, and American Standard
4 Insurance Company (hereinafter "American Family"), and against defendant James Miller,
5 resulting in a dismissal of James Miller's claims. This dismissal is without prejudice to the
6 bankruptcy trustee, who is not a party to this lawsuit, but is with prejudice to James Miller.

7 2. American Family is awarded and shall have and recover \$ 135,280.50
8 in fees and non-taxable costs against James Miller for litigation misconduct.

9 3. The judgment shall bear interest pursuant to 28 U.S.C. § 1961.

10 4. American Family's counterclaims against James Miller are dismissed without
11 prejudice.

12 5. The Court, having found there is no just reason for delay, expressly directs that this
13 judgment be entered against James Miller at this time as a final judgment.

14 DATED this 5th day of October, 2011.

15
16 IT IS SO ORDERED.

17 
18 Hon. James C. Mahan
19 U.S. District Court Judge